

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

LENNY JIMENEZ-BELTRE

No. 04-40011-FDS

JOINT MOTION TO CONTINUE SENTENCING HEARING

The United States of America, by its attorneys, Michael J. Sullivan, United States Attorney and Paul G. Casey, Assistant U.S. Attorney, and Defendant Lenny Jimenez-Beltre, by his counsel James B. Krasnoo, Esq., hereby jointly move to continue the sentencing hearing, now scheduled for January 12, 2005, for a period of 45 days.

As grounds therefor, the parties state that the United States Supreme Court is expected to issue its decision in United States v. Booker, 04-104 and United States v. Fanfan, 04-105 within the next few weeks. The decision in those cases may affect the United States Sentencing Guidelines calculations as they relate to the defendant in the present case. As a result, the parties respectfully request that the sentencing hearing in the present matter be continued for a period of forty-five days in order to provide sufficient time for the Court to issue a decision and for the parties to review the decision.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

Paul G. Casey
Paul G. Casey
Assistant U.S. Attorney

LENNY JIMENEZ-BELTRE

By:

James B. Krasnook, Esq.
James B. Krasnook, Esq.
Attorney for Defendant

ss. Worcester

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mail upon the below-named counsel on this 30th day of December, 2004.

Paul G. Casey
PAUL G. CASEY
Assistant U.S. Attorney

James B. Krasnook, Esq.